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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 3RD DAY OF APRIL 1998

BEFORE

THE HON'BLE MR.JUSTICE K H N KURANGA

WRIT PETITION NO.37471-72/1993

BETWEEN:

1. Krishna Reddy,
s/o late Chowdappa,
aged 55 yrs,

2. R Narasimha Reddy
s/o late Redappa,
Aged 55 yrs,

Both are r/o S Medihalli
village, Sarjapur hobli,
Anekal tk, Bangalore Urban dist.

3. Krishna Reddy,
s/o late Devi Reddy,
Aged 65 yrs.

4. Sivarama Reddy,
s/o late Devi Reddy,
Aged 45 yrs,

Both are r/o
Thyavakanahalli village,
Sarjapur hobli,

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Anekal tk,
Bangalore Urban dist.

..Petitioners.

(By Sri P Jayarama Reddy for petr)

-absent

AND

1. Secretary, P W D.,
Govt. of Karnataka,
M.S.Building,
Bangalore-01.

2. Executive Engineer,
Multipurpose Engineering,
(Div), Bangalore Urban,
Near Shivananda Stores,
Kumara Park East,
Bangalore.

3. Asst. Executive Engineer,
M P E Sub-Division,
Anekal.

4. The Thasildar,
Anekal tk,
Anekal.

5. The Block Development Officer,
Anekal tk,
Anekal.

..Respondents.

(By Sri M N Ramanjaneya gowda HCGP for Resps)

W.P. filed u/a 226 & 227 of the constitution of
India with an affidavit praying to: Direct the respondents
not to form road and dig trenches in the land in
question and etc.,

W.P. coming on for Hearing this day, the court made the following:

ORDER

Counsel for the petitioners is absent when the petitions are called. Heard the learned High Court Government Pleader for respondents and perused the petitions.

The petitioners have in these petitions sought for issue of a writ in the nature of mandamus directing the respondents not to form road and dig trenches in the schedule land, viz., Survey No.102 to an extent of 1 acre 2 guntas and Sy.No.138 to an extent of 1 acre situate at S Medihalli village, Sarjapur Hobli, Anekal Taluk.

This Court in W.P.9334/1993 disposed of on 4th August 1993 has held that the relief sought for is purely in the nature of injunction and this Court is not the proper forum to grant such relief and dismissed the petition.

The prayer in these petitions are in the nature

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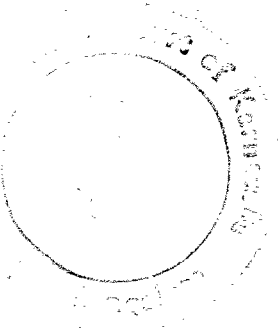
in the nature of injunction restraining the respondents from forming the road and digging the trenches in the schedule land. In the circumstances, the petitions are liable to be dismissed and accordingly they are dismissed.

Sd/-Judge.

Cu

r.by: L.

c.by: D
20/8/98



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Assistant Registrar
High Court of Karnataka
Bangalore-560 001

21-8-98
H. S. Fulga